

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 448 - HB 1349**

March 8, 2015

**SUMMARY OF BILL:** Requires principal or a teacher at every school to notify students' parents or guardians if a student is absent from school for an aggregate of five days; then the student shall be subject to a referral to the juvenile court. Requires the principal or a teacher at every school to report the names of all students who have withdrawn or been absent for an aggregate of five days to the director of schools. Requires the director of schools to send written notice to the student's parent or guardian, after an aggregate of five days has been reached, that attendance at school is required. If the student has not returned to school within three days after receipt of the notice, the director of schools shall request a conference between school officials and the parents to discuss the absences and to implement the first tier of progressive truancy interventions. Changes, from two to five, the aggregate number of unexcused absences that shall trigger a report by a principal or a teacher to the director of schools under an agreement with a local law enforcement agency to assist with compulsory attendance violations.

Requires each local board of education to adopt a tiered system of truancy interventions as an alternative to criminal prosecution for educational neglect. The first tier of truancy intervention shall be triggered by three unexcused absences within an academic year and include a conference with a student and the student's parent or guardian; an attendance contract to be signed by the student, student's parent or guardian, and attendance officer; and regularly scheduled follow-up meetings. Requires at least one tier to include an individualized assessment by a school employee of the reasons why a student has been absent and a referral, if necessary, to an appropriate agency for counseling or other community-based service. Authorizes additional intervention tiers to include school-based community services; participation in a school-based restorative justice program; referral to a school-based teen court; or Saturday courses designed to improve attendance and behavior.

Requires each referral to a juvenile court to include a statement that describes the progressive truancy interventions that the LEA has adopted and that such intervention did not meaningfully address the student's school attendance. Requires a court to dismiss any complaint or referral made by an LEA not in compliance with this law.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

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- Based on information from the Department of Education, a majority of LEAs have implemented truancy intervention and prevention programs.
- Any change to existing truancy prevention and intervention programs to create a tiered system as a result of this bill is estimated to be not significant.
- A small reduction in the number of cases referred to the juvenile court may occur; however any decrease in state or local expenditures as a result of this reduction is estimated to be not significant.
- No change in the Basic Education Program (BEP) funding formula.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "Jeffrey L. Spalding". The signature is written in a cursive, flowing style.

Jeffrey L. Spalding, Executive Director

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